



September 5, 2000

Dear Colleague:

The Federal Property and Administrative Services Act of 1949 transferred all functions of the Federal Works Agency, including works of art produced under the various art projects of the Works Progress Administration (WPA), to the General Services Administration. In recent months, we have become aware of an increasing number of these works of art being offered for public sale. This is to inform you of the legal status of these works of art and ask for your assistance in preserving them.

BACKGROUND

During the Depression era, the WPA recognized the plight of artists and commissioned paintings and sculpture for the embellishment of public architecture, including Federal buildings, post offices, and courthouses. In addition to providing work relief to suffering artists, these “New Deal” initiatives produced the first major body of public American art—hundreds of thousands of works. The various art projects of the WPA included the:

- Public Works of Art Project (PWAP), the first national art project, which provided work from 1933–1934;
- Treasury Relief Art Project (TRAP), 1935–1938, which had as a goal “the decoration of Federal Buildings by unemployed artists and sculptors;”
- “Section,” 1934–1943, also sponsored by the Treasury Department, which awarded commissions for murals and sculpture in public buildings on the basis of anonymous competitions; and
- WPA Federal Art Project (FAP), 1935–1943, the largest and best known of the projects. It surpassed the others in the variety of activities, the number of artists employed, and the number of works produced.

IDENTIFYING FEDERAL WPA ARTWORK

Not all artwork produced during the WPA period from 1933–1943 is Federal property. For example, for prints such as etchings, lithographs, etc., where more than one copy or print of the work was produced, the artist was allowed to retain one print for his own files. Federal ownership is indicated in several ways:

- Artwork is identified on original forms, such as Requests or Receipts for Allocation (DPS Form 8 or 13) or Requests or Receipts for Loan (DPS Form 9 or 14).

- A brass plaque is affixed to the original frame of the artwork stating “Public Works of Art Project,” “Treasury Relief Art Project,” or “WPA Federal Art Project.”
- A notation is stamped on prints stating “Graphics Department, Federal Art Project.”
- A label is affixed to the artwork noting “Federal Art Project of the Works Progress Administration. This work is the property of the United States Government...”

Samples of these identification tags and labels are enclosed.

LEGAL RESPONSIBILITY

General

It is our responsibility to inform private citizens, art dealers, appraisers, the museum community, and the general public of the legal title to these WPA works of art. To this end, and in response to numerous questions regarding legal ownership, title, and responsibility, we researched original procedures and directives pertaining to legal status of these WPA works of art. The enclosed fact sheet, *Legal Title to Art Work Produced Under the WPA*, addresses these issues by stating that ownership of Federal property—

"...cannot be divested by negligence, delay, laches, mistake, or unauthorized actions by subordinate officials."

Documents produced at the time of the program demonstrate the Government's intention to retain ownership of moveable art.

Museum Community

In 1939, the Federal Government began the process of loaning or allocating (indicating a restricted transfer of title) to museums and other public agencies works of art produced under the various art projects of the WPA. The legal fact sheet also addresses these WPA works of art. The original documents entered into by the recipients provided for the return of artwork—

"... if an agency or institution which has received a work of art on allocation or loan desires to be released from the responsibility of custody of the work, the official representative of the agency or institution shall communicate with the Director of the WPA Art Program, Washington, DC. "

GSA has inventoried over 14,000 WPA works of art housed in non-Federal repositories across the country. This inventory is published in the catalog, *WPA Artwork in Non-Federal Repositories, Edition II*. All inventoried artwork has been verified with the institution and recognized with a letter of acknowledgement or a Memorandum of Agreement. In order to inform the museum community of the status of these works, the catalog and the legal fact sheet

have been distributed to the museum community, state libraries, state art organizations, and other Federal agencies.

Private Ownership

Many WPA works of art were purchased in good faith or acquired through other justifiable means; some were even saved from disposal or destruction by private citizens. However, these works of art were produced with taxpayer's funds and represent an important period in the history and culture of our country. They should be placed in public institutions where they will be available to the American people. To that end, we ask that you notify us at the following address if you have any of these works of art.

Fine Arts Program (PNH)
Public Buildings Service
General Services Administration
1800 F Street, NW
Washington, DC 20405
(202) 219-1088

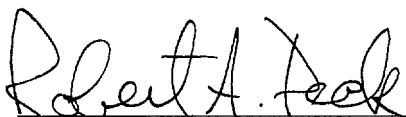
FUTURE DIRECTIONS

Our efforts to locate, catalog, publish, and preserve WPA artwork are recent. Regrettably, many works of art produced under the Federal patronage of the WPA are lost forever. We cannot correct these past mistakes, but we can prevent the recurrence of such errors. GSA's goal is to

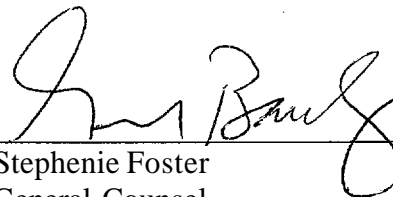
- Catalog those WPA works of art that are Federal property;
- Educate and inform people of the ownership issues regarding these works of art; and
- Encourage the return of these works of art to GSA or place them in public institutions.

We appreciate your assistance in this important effort.

Sincerely,



Robert A. Peck
Commissioner
Public Buildings Service



Stephenie Foster
General Counsel
Office of the General Counsel

Enclosures

EXAMPLES OF WPA LABELS

FILE PROOF	
TITLE	HEAVY INDUSTRY
ARTIST	AJAY
MEDIUM	LITH
GRAPHIC ARTS DIVISION N. Y. C. WPA ART PROJECT	

Label, Graphics Division, W.P.A. Art Project.

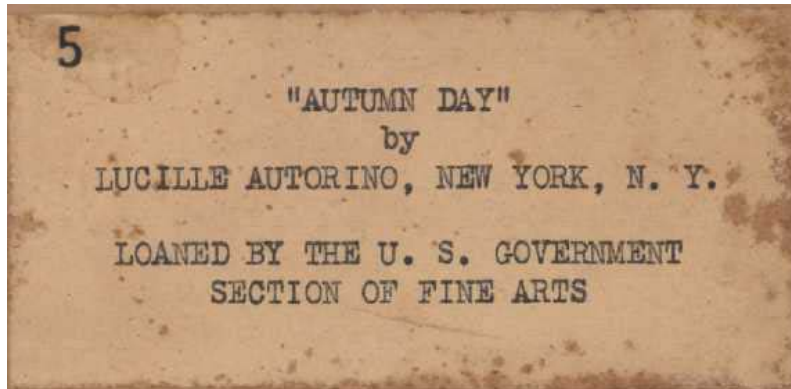
FEDERAL WORKS AGENCY-Work Projects Adminis-	
tration Arts Program-NYC WPA Art Project	
O. P. 65-1-97-2063 (WP 1)-110 King Street	
Exhibition Dept.	
Div. Graphic	Artist David Feinstein
Title Natural History	Dept. # Litho #4
Accession Number	Museum - G 1005

Label, Graphics Division, Federal Art Project

PUBLIC WORKS OF ART PROJECT	
THIRTEENTH REGION -- NEW MEXICO-ARIZONA	
Artist:	WILHELM KLOSS
Title:	
Disposition:	
1934	
This is the property of the United States Government.	

Label, Public Works of Art Project.

EXAMPLES OF WPA LABELS



Label, Section of Fine Arts, Treasury Department

FAP #3	FEDERAL ART PROJECT	9950-C-M
of the Works Progress Administration		
Washington, D.C.		
ARTIST	ARNOLD BLANCH	
STATE	NEW YORK	MEDIUM LITHOGRAPH
TITLE OF WORK	"NEAR KINGSTON"	Rec'd. 1/29/38

Label, Federal Art Project, Works Progress Administration.

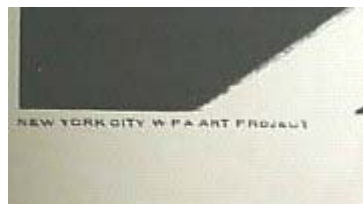
FAP #3	FEDERAL ART PROJECT	<i>FAP#</i> 9950-C-M
of the Works Progress Administration		
Washington, D.C.		
ARTIST	Charles H. Reinike	
STATE	Louisiana	MEDIUM Watercolor
TITLE OF WORK	SAW MILL - TUNICA	
LOANED TO	Mr. Charles Thompson, Division of Cultural Relations, Department of State, Room #395	
DATE 3/23/40		
This work is the property of the United States Government and is loaned subject to regulations of loan and is not to be removed.		

Label, Federal Art Project, Works Progress Administration.

EXAMPLES OF WPA STAMPS



Identification Stamp



Identification Stamp

EXAMPLES OF WPA TAGS



Brass Identification, Frame Tag.



Brass Identification, Frame Tag.



Brass Identification, Frame Tag.